

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

HAKIM MORRIS,)	
)	
Plaintiff,)	CIVIL ACTION FILE
)	NO. CV 422-163
v.)	
)	
MABE TRUCKING CO., INC., RJ)	
JERMONE JONES, and)	
HARTFORD FIRE INSURANCE)	
CO.)	
)	
Defendants.)	
)	

NOTICE OF REMOVAL

COME NOW defendants Mabe Trucking Co., Inc., R.J. Jerome Jones, and Hartford Fire Insurance Company and, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, file this notice of removal within the time prescribed by law, showing the Court as follows:

1.

On June 6, 2022, plaintiff filed a complaint in the State Court of Chatham County, Georgia Civil Action No. STCV22-00945. Chatham County is within the Savannah Division of the Southern District of Georgia.

2.

This notice of removal is filed within the time period prescribed by 28 U.S.C. § 1446(3).

3.

A true and correct copy of all process, pleadings, and orders filed in connection with this action is attached hereto as Exhibit A. Defendants have no knowledge of any other process, pleadings, or orders served in connection with this action, other than those attached hereto.

4.

This Court has original jurisdiction over the above-referenced case under 28 U.S.C. § 1332.

5.

There is complete diversity among the parties.

6.

Plaintiff is a citizen of the State of South Carolina. (Compl., ¶ 1.)

7.

Defendant RJ Jones is a citizen of the State of North Carolina. (Compl., ¶ 3.)

8.

Defendant Mabe Trucking Co., Inc. ("Mabe Trucking") is a corporation formed and existing under the laws of North Carolina and has its principal place of business in North Carolina. (Compl. ¶ 2.) Accordingly, Mabe Trucking is a citizen of North Carolina for purposes of diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

9.

Defendant Hartford Fire Insurance Company ("Hartford") is a foreign insurance company formed and existing under the laws of Connecticut and has its principal place of business in Connecticut. Accordingly, Hartford is a citizen of Connecticut for purposes of diversity jurisdiction. 28 U.S.C. § 1332(c)(1).

10.

Defendants make a plausible allegation that plaintiff is seeking recovery in an amount in excess of \$75,000, exclusive of interest and costs. *Dart Cherokee Basin Operating Co. v. Owens*, 574 U.S. 81 (2014). Specifically, plaintiff seeks general damages for alleged physical and mental pain and suffering and special damages for alleged medical expenses totaling "in excess of \$162,000.00" and lost income "in excess of \$10,000." (Compl. ¶ 23.)

11.

The undersigned has read this notice of removal, and to the best of the undersigned's knowledge, information, and belief, formed after reasonable inquiry,

it is well-grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

WHEREFORE, this notice of removal having been filed, said action shall proceed in the United States District Court for the Southern District of Georgia, Savannah Division, and no further proceedings shall be held in said case in the State Court of Chatham County.

STONE KALFUS LLP

/s/ Shawn N. Kalfus

Matthew P. Stone

Georgia Bar No. 684513

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Attorneys for Defendants

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CERTIFICATE OF SERVICE

This is to certify that I have this date served the foregoing *Notice of Removal* to the Clerk of Court using the CM/ECF system which will automatically send electronic mail notification of such filing to counsel of record who are CM/ECF participants and mailed by United States Postal Service, first-class, postage prepaid, a paper copy of the same document to counsel of record who are non-CM/ECF participants. Counsel of record is:

D. Kevin Wheeler, Esq.
James A. Watson, Esq.
Wheeler & Watson, P.C.
900 Holcomb Bridge Road
Suite 100
Roswell, GA 30076

This 30th day of June 2022.

/s/ Shawn N. Kalfus

Shawn N. Kalfus
Georgia Bar No. 406227

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